

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

CLERKS OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
FILED
2/29/2024
LAURA A. AUSTIN, CLERK
BY: s/ CARMEN AMOS
DEPUTY CLERK

TRE'MANE FUQUA,

Plaintiff,

v.

CENTRA HEALTH, INC., *et al.*,

Defendants.

CASE No. 6:23-cv-00065

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court on Plaintiff's Motion for Extension of Time to File Affidavit of Service for Defendant John Doe. Dkt. 6. Plaintiff asserts that the "precise identity of Defendant John Doe is unknown to the Plaintiff at this time, and further investigation and discovery is necessary to ascertain his identity and whereabouts." *Id.* ¶ 3. Specifically, Plaintiff hopes to utilize "early Rule 34 discovery requests" to "identify Defendant John Doe, and then to serve him with the Summons and Complaint." *Id.* ¶ 5. However, early Rule 34 discovery requests are not able to be sent until February 5, 2024. *Id.* ¶ 6. Meanwhile, Plaintiff's default deadline to effect service is January 22, 2024. Fed. R. Civ. P. 4(m). Consequently, Plaintiff seeks an extension of 60-days to identify, locate, and serve Defendant John Doe.

Upon consideration of Plaintiff's motion and the information set forth therein, the Court finds that Plaintiff has established that there is good cause to extend the time to serve Defendant Doe, and also that Plaintiff has established that the extension is warranted as an exercise of the Court's discretion. *See* Fed. R. Civ. P. 4(m); *Gelin v. Shuman*, 35 F.4th 212, 220 (4th Cir. 2022). Accordingly, the Court will **GRANT** Plaintiff's motion for an extension. Dkt. 6. Plaintiff shall

have an additional **sixty (60) days** to serve Defendant John Doe. Plaintiff shall file an affidavit of service for Defendant Doe on or before March 22, 2024.

It is so **ORDERED**.

The Clerk of Court is directed to send a copy of this Order to the parties.

Entered this 29th day of February, 2024.



NORMAN K. MOON
SENIOR UNITED STATES DISTRICT JUDGE